

1 PAUL R. CORT, State Bar No. 184336
2 Earthjustice
3 50 California Street
4 San Francisco, CA 94111
5 pcort@earthjustice.org
6 Tel: 415-217-2000
7 Fax: 415-217-2040

8 NICHOLAS MORALES, Admitted *Pro Hac Vice*
9 EMMA C. CHEUSE, Admitted *Pro Hac Vice*
10 Earthjustice
11 1625 Massachusetts Ave., NW, Ste. 702
12 Washington, DC 20036
13 nmorales@earthjustice.org, echeuse@earthjustice.org
14 Tel: 202-667-4500
15 Fax: 202-667-2356

16 Attorneys for Plaintiffs Sierra Club and
17 California Communities Against Toxics

18 [additional counsel listed in signature block]

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

16 SIERRA CLUB and CALIFORNIA)
17 COMMUNITIES AGAINST TOXICS,)
18 Plaintiffs,)
19 v.)
20 GINA McCARTHY, in her official capacity as)
21 Administrator of the United States Environmental)
22 Protection Agency,)
23 Defendant.)

Case No: 3:15-cv-01165-HSG

**SECOND JOINT STIPULATION TO
ENLARGE TIME FOR REQUESTING
ATTORNEYS' FEES AND COSTS**

STIPULATION

Pursuant to Civil L.R. 6-2, Plaintiffs Sierra Club and California Communities Against Toxics and Defendant Gina McCarthy, Administrator of the U.S. Environmental Protection Agency (“EPA”) stipulate as follows:

1. By decision dated March 15, 2016, the Court entered judgment on the parties' cross-motions for summary judgment. The Court provided that "Plaintiffs may file any appropriate motion for attorneys' fees and costs within 30 days." Dkt. No. 41, at 1; *see also* Civil L.R. 54-1 (providing deadline for filing bill of costs); Civil L.R. 54-5 (providing deadline for moving for attorneys' fees unless Court orders otherwise).

2. The parties requested and the Court granted an extension of the deadline to file a motion for attorneys' fees and costs to June 13, 2016. Dkt. Nos. 43 & 44.

3. Plaintiffs have provided a settlement offer to Defendant. Defendant is considering Plaintiffs' offer and preparing a counteroffer. The parties continue to hope to resolve Plaintiffs' claim for fees and costs without the need for further litigation, but require additional time to ascertain whether they can reach an agreement.

4. Therefore, the parties stipulate to and request that the Court enter an order enlarging the time for filing a motion for fees and costs from June 13, 2016 to July 20, 2016 so that they may have additional time to discuss an informal settlement. A declaration in support of this stipulation is attached.

DATED: June 6, 2016

Respectfully submitted,

/s/ Nicholas Morales

NICHOLAS MORALES, Admitted *Pro Hac Vice*

EMMA C. CHEUSE, Admitted *Pro Hac Vice*

Earthjustice

1625 Massachusetts Ave., NW, Ste. 702
Washington, D.C. 20006

Washington, DC 20036

nmorales@earthju
T 1-222-117-4526

Tel: 202-667-4500

1 PAUL R. CORT, State Bar No. 184336
2 Earthjustice
3 50 California Street
4 San Francisco, CA 94111
pcort@earthjustice.org
Tel: 415-217-2000
Fax: 415-217-2040

5 *Attorneys for Plaintiffs Sierra Club and*
6 *California Communities Against Toxics*

7 JOHN C. CRUDEN
8 Assistant Attorney General
9 Environment and Natural Resources Division

10 /s/ Leslie M. Hill (email authorization 06/04/16)
11 LESLIE M. HILL (D.C. Bar No. 476008)
12 U.S. Department of Justice
13 Environment & Natural Resources Division
14 Environmental Defense Section
15 601 D Street N.W., Suite 8000
Washington D.C. 20004
leslie.hill@usdoj.gov
Telephone (202) 514-0375
Facsimile (202) 514-8865

16 *Attorneys for Defendant*

17 Of counsel:

18 Paul Versace
19 Office of General Counsel
20 U.S. Environmental Protection Agency

ORDER

Good cause having been shown, the Stipulation is hereby GRANTED. The deadline for Plaintiffs to file any appropriate motion for attorneys' fees and costs shall be extended to July 20, 2016.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: June 7, 2016


HAYWOOD S. GILLIAM, JR.
UNITED STATES DISTRICT JUDGE